

Calendar No. 451

106TH CONGRESS
2^D SESSION**S. 1167****[Report No. 106–235]**

To amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for expanding the scope of the Independent Scientific Review Panel.

IN THE SENATE OF THE UNITED STATES

MAY 27, 1999

Mr. GORTON (for himself, Mr. SMITH of Oregon, Mr. CRAIG, and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

MARCH 9, 2000

Reported by Mr. MURKOWSKI, with an amendment

[Insert the part printed in *italic*]

A BILL

To amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for expanding the scope of the Independent Scientific Review Panel.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REVIEW OF REIMBURSABLE PROJECTS, PRO-**
 2 **GRAMS, AND MEASURES BY THE INDE-**
 3 **PENDENT SCIENTIFIC REVIEW PANEL OF THE**
 4 **PACIFIC NORTHWEST ELECTRIC POWER**
 5 **PLANNING COUNCIL.**

6 Section 4(h)(10)(D) of the Pacific Northwest Electric
 7 Power Planning and Conservation Act (16 U.S.C.
 8 839b(h)(10)(D)) is amended by striking clauses (vii) and
 9 (viii) and inserting the following:

10 “(vii) REVIEW BY THE PANEL OF RE-
 11 IMBURSABLE PROJECTS, PROGRAMS, AND
 12 MEASURES.—

13 “(I) IN GENERAL.—With regard
 14 to Columbia Basin fish and wildlife
 15 projects, programs or measures pro-
 16 posed in a Federal agency budget to
 17 be reimbursed by BPA, or paid
 18 through a direct funding agreement
 19 with BPA, the panel shall annually—

20 “(aa) review such proposals;

21 “(bb) determine whether the
 22 proposals are consistent with the
 23 criteria stated in item (iv);

24 “(cc) make any rec-
 25 ommendations that the Panel
 26 considers appropriate to make

1 the project, program, or measure
2 meet the criteria stated in item
3 (iv); and

4 “(dd) transmit the rec-
5 ommendations to the Council no
6 later than April 1 of each year.

7 “(II) PUBLIC AVAILABILITY AND
8 COMMENT.—Determinations and rec-
9 ommendations made by the panel
10 under subclause (I) shall be available
11 to the public and shall be subject to
12 public comment as in item (v).

13 “(III) ROLE OF THE COUNCIL.—
14 The Council shall fully consider the
15 recommendations of the Panel when
16 making its final recommendations of
17 projects proposed by Federal agencies
18 and reimbursed by BPA, or paid
19 through a direct funding agreement
20 with BPA. The Council shall submit
21 its recommendations to the House and
22 Senate Committees on Appropriations
23 and relevant authorizing committees,
24 *and the U.S. Army Corps of Engi-*
25 *neers, U.S. Fish and Wildlife Service,*

1 *Bureau of Reclamation, and the Bon-*
2 *neville Power Administration* no later
3 than May 15 of each year. If the
4 Council does not incorporate a rec-
5 ommendation of the Panel in its rec-
6 ommendations, the Council shall ex-
7 plain in writing its reasons for not ac-
8 cepting Panel recommendations.
9 “(viii) COST LIMITATION.—The an-
10 nual cost of this provision shall not exceed
11 \$750,000 in 1997 dollars.”.

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